



Docket No.: 1454.1150

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

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9/24/04

In re Patent Application of:

Christian MENZEL et al.

Application No.: 09/308,303

Group Art Unit: 2683

Filed: May 17, 1999

Examiner: Y. Pan

For: METHOD AND SYSTEM FOR CONFIGURING RADIO INTERFACE IN A  
COMMUNICATION SYSTEM (AS AMENDED)

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**REPLY BRIEF**

Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Examiner's Answer mailed June 4, 2004. The Examiner's Answer includes Grounds of Rejection in item (10) on pages 3-7 that appear to be identical to items 3-6 on pages 3-7 of the August 27, 2003 Office Action. The Examiner's Answer also includes a Response to Argument in item (11) on pages 3-7. In the Response to Argument, U.S. Patent Application Publication 2003/0086373 A1, which was not previously cited in the present application, is cited by the Examiner to define the term "reservation-Aloha." A brief description of U.S. Patent Application Publication 2003/0086373 A1 will be described below. Following is the Appellant's reply to the comments in item (11) of the Examiner's Answer.

In item (11), the Examiner refers to the disclosure in column 7, lines 1-27 of Billström. This portion of Billström proposes using a new logical packet data channel (PDCH) on a physical TDMA channel (i.e., a timeslot). The PDCH is allocated on demand by a base station controller (BSC), and a radio link protocol over the PDCH is handled by the base station (BTS). The PDCH is used for data transfer and associated control signaling to and from mobile stations (MS).

However, as discussed in the Amendment filed on November 26, 2003, nothing in column 7, lines 1-27 of the Billström reference teaches that a mobile station may transmit in an

allocated time slot for signaling when no packet data is transmitted by the mobile station as recited, for example, in the last five lines of claim 18.

As mentioned above, the Examiner refers to a reservation-Aloha type of protocol, which is a protocol used for requesting and assigning resources in the PDCH. According to U.S. Patent Application Publication 2003/0086373 A1, the reservation-Aloha protocol consists of two steps in which (1) a mobile station transmits a reservation request to the base station, and (2) the base station assigns one out of an exclusively reserved number of time slots in subsequent time frame(s) for exclusive use by the requesting mobile station. Thus, the reservation-Aloha protocol is employed only in case a mobile station intends to establish a packet data transfer on the PDCH. That is, the reservation-Aloha is used when the mobile station is not in an active packet data transmission mode, but instead, is in an idle mode when transmitting the reservation request.

According to the present invention, even if the respective mobile station does not need to transmit any packet data (i.e., the mobile station is in idle mode), the respective mobile station may transmit signaling data. Specifically, according to the present invention, since the base station allocates a time slot exclusively for signaling from the respective mobile station in accordance with a predetermined sequence, if the respective mobile station is in an active packet data transmission mode but does not transmit packet data, the mobile station can transmit signaling data to the base station during the exclusively assigned time slot in the predetermined sequence. Nothing in the Billström reference including column 7, lines 1-27, teaches that associated control signaling may be sent if no packet data is transmitted when the mobile station is in an active packet data transmission state. That is, Billström only teaches that the mobile station transmits signals to the base station when the mobile station is in an idle mode and has packet data to send (see column 9, lines 30-67 and column 15, lines 61-67).

For the reasons set forth above, it is submitted that the Examiner's Answer does not rebut the arguments made in the Appeal Brief and during prosecution of the present application. Therefore, it is respectfully submitted that the Examiner's final rejection of the claims is without support and erroneous. Accordingly, the Board of Patent Appeals and Interferences is respectfully urged to so find and to reverse the Examiner's final rejection.

If any additional fees are required in connection with the filing of this Reply Brief, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: B-4-04

By: Derrick L. Fields  
Derrick L. Fields  
Registration No. 50,133

1201 New York Ave., N.W.,  
Suite 700  
Washington, D.C. 20005  
(202) 434-1500